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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA
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8 RONALD J. ALLISON,
9 Plaintiff(s),

10 v.

11 ENTERPRISE RENTAL CAR AT L.V.
12 INTL AIRPORT,
Defendant(s).

Case No. 2:22-cv-00268-GMN-NJK

REPORT AND RECOMMENDATION

13 Plaintiff initiated this case without paying the required fee or filing an application to
14 proceed *in forma pauperis*. Docket No. 1. On March 10, 2022, the Court ordered Plaintiff to pay
15 the filing fee or file an application to proceed *in forma pauperis* by April 7, 2022. Docket No. 3.
16 The Court warned that “[f]ailure to comply will result in a recommendation to the District Judge
17 that this case be dismissed.” *Id.* at 2. Notwithstanding that warning, Plaintiff did not comply.

18 This case cannot proceed without Plaintiff either paying the filing fee or filing a motion to
19 proceed *in forma pauperis*. See 28 U.S.C. § 1914(a); *see also* 28 U.S.C. § 1915(a). Having refused
20 to do either in this case, Plaintiff’s complaint is subject to dismissal. *E.g., Desai v. Biden*, 2021
21 WL 38169, at *1 (E.D. Cal. Jan. 5, 2021), *adopted*, 2021 WL 276236 (E.D. Cal. Jan. 27, 2021).

22 Moreover, Plaintiff’s refusal to comply with the Court’s order is an abusive litigation
23 practice that has interfered with the Court’s ability to hear this case, delayed litigation, disrupted
24 the Court’s timely management of its docket, wasted judicial resources, and threatened the
25 integrity of the Court’s orders and the orderly administration of justice. Sanctions less drastic than
26 dismissal are unavailable because Plaintiff has refused to comply with the order of this Court
27 notwithstanding the warning that case-dispositive sanctions may be imposed.
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1 Accordingly, the undersigned **RECOMMENDS** that this case be **DISMISSED** without
2 prejudice.

3 Dated: April 20, 2022

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Nancy J. Koppe
United States Magistrate Judge

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7 **NOTICE**

8 This report and recommendation is submitted to the United States District Judge assigned
9 to this case pursuant to 28 U.S.C. § 636(b)(1). A party who objects to this report and
10 recommendation must file a written objection supported by points and authorities within fourteen
11 days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file
12 a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951
13 F.2d 1153, 1157 (9th Cir. 1991).